

[17th January 1964]

(b) the places where such schemes are implemented now?

THE HON. SRI P. KAKKAN : A statement^a is placed on the table of the House.

MR. SPEAKER : Questions are over.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III—ADJOURNMENT MOTIONS.

(1) DEMONSTRATION OF CITY COLLEGE STUDENTS AND OBSTRUCTION TO A MEMBER BY POLICE OFFICERS WHILE ENTERING ASSEMBLY PREMISES.

MR. SPEAKER : The hon. Member, Sri Rama Arangannal, has given notice of an adjournment motion. The first part relates to the demonstration of the City College students. This is not a matter which can come under an adjournment motion. If necessary, it could be discussed during the discussion on the Governor's Address.

The second part relates to the obstruction to the Member by the Police Officers when he was entering the Assembly premises. I will have to make an enquiry into this. Further, it cannot be brought as an adjournment motion. So, I withhold consent.

(2) PROMULGATION OF PROHIBITORY ORDERS.

MR. SPEAKER : The hon. Member, Sri S. Madhavan, has given notice of an adjournment motion relating to the promulgation of orders under Section 144 of the Criminal Procedure Code, and Section 30 of the Police Act. This is a continuing thing and not a sudden happening. This cannot be brought as an adjournment motion. Further, the hon. Member has an opportunity to refer to the matter during the discussion on the Governor's Address. So I withhold consent.

IV—PRIVILEGE MATTER *RE*: NEWS ITEM IN THE 'BROADWAY TIMES'

MR. SPEAKER : Hon. Members, I would like to bring to the notice of the House certain matter contained in a newspaper called the 'Broadway Times' in its issue, dated 13th December 1963, since I consider it as an important matter of privilege which affects the Members, the Speaker and the House, and which ought to be placed before the House.

17th January 1964]

[Mr. Speaker]

This is an English news weekly published from Madras. This ³⁻³⁰ weekly in its issue, dated the 13th December 1963 has published a ^{p.m} news item under the caption "D.M.K. Cells in Madras Secretariat". In that there is a reference to Members and the Legislature Secretariat. It reads as follows :—

"The Legislature Secretariat is packed with D.M.K. men. Some of the information like answers received from Starred questions is being leaked out to D.M.K. legislators long before the session begins."

The allegations are very serious as they cast aspersions against the Secretariat working under the Speaker, and also the members. Giving information before the House gets the same amounts to a breach of privilege. If any member of the staff of the Secretariat has given any such information he would be committing a breach of privilege. The other allegation is that the D.M.K. legislators were obtaining information before such information is given to the House. It is an aspersion against the Members that they are obtaining information out of their turn. I wanted, therefore, these allegations to be proved by the editor of the paper. If they are proved, the persons responsible would be guilty of contempt of the House, and if not proved the editor would be guilty of committing the contempt of the House by making baseless and wild allegation.

The Editor of the News weekly was, therefore, requested on the 17th December 1963 to substantiate the allegations and furnish any proof he had in regard to them. The Editor replied on the 18th December 1963 that he, as a responsible Editor, having utmost regard for journalistic ethics was not in a position to disclose any names and help the Assembly Department in this regard and it was the duty of that Department to keep a close watch on the people working therein. He added that he only did his duty to let know in time a glimpse of what was happening. He also mentioned in his letter that he had made similar allegations against some other departments and they kept mum.

Again, the Editor was informed on the 24th December 1963 that he was not asked to reveal the sources of information but only to substantiate the allegations made against the Department and to furnish any proof in that regard. On the 26th December 1963, the Editor replied stating that the allegations could not be substantiated without giving the names of the people involved and as such under no circumstances he could give those names and that it was the job of the Assembly to find out the 'sympathisers'.

He also added :—

"Out of courtesy only I chose to reply to your letter. Now, you seem to demand this as a right. Any more of your letters with this tone will have to be answered openly."

It is clear from the above reply that the Editor has held a threat that he would answer openly.

[திரு. இரா. நெடுஞ்செழியன்] [17th January 1964]

On this the Editor was informed that his allegations were baseless since he had no material to substantiate the allegations he had made. There has been no further reply from the Editor.

In this connection I also wish to state that the very same paper had published in its issue, dated the 24th May 1963 some information about the members and the Secretariat under the caption ' M.L.As. get a lift '. Among other things the news item contained the following :—

" It is learnt reliably that Sri Kamaraj, the Chief Minister, was touring the districts when this operation was put through in the interests of national economy or austerity as it is called. He had no other go but to okay the step which had been implemented in his absence."

I looked into all the papers concerning this and found that the proposal for enhancement of D.A. was approved by the Chief Minister on the 19th September 1962 and the Government Order was issued on 21st September 1962. Further, the order had been issued one month before the emergency began. The publication was factually incorrect. Since it is not usual to take cognisance of every misstatement made in a newspaper, the matter was ignored. But on this occasion the allegations are serious and there is *mala fide* also. The editor has not only refused to substantiate the allegations but has also challenged that he would take up the matter openly. I want to place all these matters before the House and I expect hon. Leaders of parties to give me their opinions as to how to proceed further.

THE HON. SRI M. BHAKTAVATSALAM : Sir, we have listened to you.

I now move :—

" That the matter of privilege referred to by the Speaker be referred to the Committee of Privileges for enquiry and report and that the Committee be authorised to send for persons, papers and records necessary for the purpose."

MR. SPEAKER :— Motion moved :—

" That the matter of privilege referred to by the Speaker be referred to the Committee of Privileges for enquiry and report and that the Committee be authorised to send for persons, papers and records necessary for the purpose."

* திரு. இரா. நெடுஞ்செழியன் : கனம் அவைத்தலைவர் அவர்களே, இந்த அவையின் முன் தாங்கள் அறிவித்து, இந்த அவையிலுடைய முதல்வர் அவர்கள் கொண்டு வந்திருக்கிற இந்தத் தீர்மானத்தை ஆதரிக்கின்ற வகையில் நான் சில கருத்துக்களை கூற விரும்புகிறேன். தாங்கள் இந்த அவையின் முன் எடுத்து வைத்துள்ள கருத்துப்படி, இந்த அவையிலுள்ள திராவிட

17th January 1964]

[Mr. Speaker]

முன்னேற்றக் கழக உறுப்பினர்களுக்குள்ள உரிமையை இழிவு படுத்திப் பாதிக்கின்ற வகையிலும், தங்கவின் சீரிய தலைமையின் கீழ் இயங்குகின்ற சட்டமன்றத் துறையினுடைய உரிமையைப் பாதிக்கின்ற வகையிலும் இந்த செய்திகள் அமைந்திருக்கின்றன. சாதாரணமாக செய்தித் தாள்களுக்கு எழுத்துரிமை, பேச்சுரிமை அடிப்படையில் வழங்கப்பட்டிருக்கின்ற உரிமைக்குப் புறம்பாக பொதுவாக நடவடிக்கை எடுத்துக்கொள்ளப்பட்டது என்று கருத்தை நாம் கொண்டிருந்தாலும், உண்மைக்குப் புறம்பான வகையிலும், உரிமையை பாதிக்கின்ற வகையிலும், இந்த அவையை இழிவு படுத்துகின்ற வகையிலும் இந்தச் செய்திகள் அமைந்திருக்கின்றன.

பொதுவாக, நம்முடைய மாநிலத்தைப் பொறுத்தவரையிலும், அரசாங்க தலைமை அலுவலகத்திலுள்ள அதிகாரிகள் அத்தனை பேரும் கட்சிக்கு அப்பாற்பட்டுப் பணிகளை ஆற்றுகின்றனர் என்ற பெருமையையும் புகழையும் பெற்றிருக்கின்றனர். நம்முடைய மாநிலத்திலுள்ள தலைமை அலுவலகத்தில் பணி புரிகிற அதிகாரிகள் அத்தனை பேரும் நேர்மையான வழியிலும், எந்தக் கட்சிக்கும் தங்களை ஆட்படுத்திக்கொள்ளாத வகையிலும் எல்லோராரும் பாராட்டப்படுகின்ற வகையிலே ஒரு மரபை இதுவரையிலும் ஏற்படுத்தி வந்திருக்கிறார்கள்.

சட்டமன்றத் துறையை பொறுத்த வரையிலும், சட்டமன்றத் துறையில் இருக்கிற அதிகாரிகள், அலுவலர்கள் அத்தனை பேர்களும் இந்த அவையில் உள்ள எல்லாக் கட்சியினரும் பாராட்டத் தக்க வகையில், மிக நேர்மையாகவும் மிக ஒழுங்குடனும் நடந்து வருகிறார்கள் என்பதை நாம் எல்லோரும் அறிவோம். சட்டமன்றத் துறைக்கு இழிவு கற்பிக்கின்ற வகையிலும் சட்டமன்ற உறுப்பினர்கள் உரிமையை பாதிக்கின்ற வகையிலும், இந்தச் செய்தி அமைந்திருக்கிறது. தாங்கள் குறிப்பிட்டதுபோல, தொடர்ந்து இழிவு படுத்துவதோடு நோக்கத்தின் அடிப்படையில் தான் இந்தச் செய்திகள் பரிமாறிக் கொள்ளப்பட்டு வருகின்றன. தாங்கள் சுட்டிக்காட்டியதைப் போல 'தாங்கள் கொண்டே கோலம்' என்ற அளவுக்கு இந்தப் பத்திரிகை கருத்துக்களை வழங்கிக்கொண்டு வருகிறது. இதை உரிமைப் பிரச்சனையாகக் கொண்டு, உரிமைக் குழுவுக்கு விட்டு, தக்க நடவடிக்கை எடுப்பதன் மூலம் எதிர்காலத்தில் நிலைமையை சீர்படுத்துவதற்கு வழிவகை காணவேண்டும். அந்த முறையிலே தாங்கள் குறிப்பிட்ட கருத்துக்களுடைய அடிப்படையில் இந்த மன்றத்தின் முதல்வர் அவர்கள் கொண்டு வந்த தீர்மானத்தை முழுமனதுடன் அதரிப்பதோடு, இதை உரிமைக் குழுவுக்கு விட்டு, நிலையை சீர செய்யவும், இந்த மன்றத்தினுடைய பெருமையையும் புகழையும், அரசாங்கத் தலைமை அலுவலகத்தினுடைய பெருமையையும், புகழையும், குறிப்பாக சட்டமன்றத் துறையினுடைய பெருமையையும், புகழையும் காப்பாற்றும் வகையிலே தக்க நடவடிக்கை எடுத்துக் கொள்ள வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

[17th January 1964]

SRI M. KALYANASUNDARAM : This House must be really obliged to you, Sir, for having taken up this issue. I have seen the news item which is the subject-matter of this privilege issue. It deals with several departments. We are now concerned with the Legislature Department. It has referred to Police Department. It has referred to Home Department. They are matters concerning the Hon. Chief Minister and the Hon. Home Minister. It is for them to examine whether they are true or untrue. But the Legislature Department is doing a very delicate job. They have to come into contact with all sections of this House, whether they belong to the Treasury Benches or to the Opposition. We have been getting all the help, according to procedure, from the Legislature Department to discharge our duty. If that department is to be maligned like this openly, it will create a very embarrassing situation and it would amount to interference in the proceedings of this House. It will then become difficult for this House to function and to maintain proper relationship with the staff of the Legislature Department and Members of the Legislature. To-day it is against D.M.K. Members. The comments made by the Editor is not fair. I do not think that any member of this House would stoop to get information out of turn in a stealthy way. It is an insult to the Members of this House and it affects the proper and efficient functioning of this House. If he has done it out of ignorance, the House may ignore it. I have been following your statement, Sir. From that it is observed that you have taken steps to bring him to order. But he is not willing to show any reason for it. The criticism is only contemptuous and not fair. The Editor could have approached you to explain the position. He could have taken at least the Hon. Speaker into confidence and the Hon. Speaker could have convinced him in the interest of this House. He could have explained it with evidence. He refuses to disclose the correct information. On the other hand, he is threatening to take action. I have been a Member in this House for nearly 12 years and I know the staff in all the sections of this Department and they have been dutiful and discharging their duties properly and efficiently to this House. Therefore, their honour must be protected more than the honour of this House, if this House has to function efficiently. I am grateful to you for having referred to this matter. I support the motion moved by the Hon. the Leader of the House.

MR. SPEAKER : The question is—

“ That the matter of privilege referred to by the Speaker be referred to the Committee of Privileges for enquiry and report and that the Committee be authorised to send for persons, papers and records necessary for the purpose.”

The motion was put and carried and the matter was referred to the Committee of Privileges.